

REMARKS

The Office Action mailed March 23, 2009 has been received and reviewed. Claims 1-22 are in the case. Claim 7 stands objected to for a typographical error. Claim 5 stands rejected under 35 U.S.C. § 112, second paragraph. Claims 1-22 stand rejected under 35 U.S.C. § 103(a).

By this paper, claims 3 and 14-16 have been cancelled and claims 1, 2, 4, 5, 7-10, 12, 13, and 17-21 have been amended. For the reasons set forth below, claims 1, 2, 4-13, and 17-22 are believed to be in condition for immediate allowance. Favorable reconsideration of the application in view of the following remarks is, therefore, respectfully requested.

**Statement of Substance of Interview**

Applicant expresses appreciation for the personal interview granted July 16, 2009. During the interview, Applicant, through counsel, met with the examiner and her supervisor to discuss new, prosed limitations to the pending claims. The examiner contended that all new limitations not found in the prior art of record could be found in numerous prior art references not of record. However, those other prior art references where not available for discussion during the interview. No agreement was reached.

**Objection to Claim 7**

Claim 7 stands objected to for a typographical error. By this paper, claim 7 has been amended to correct the error. Reconsideration is respectfully requested.

**Rejection of Claim 5 Under 35 U.S.C. 112, Second Paragraph**

Claim 5 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Office Action asserts that antecedency is lacking. Claim 5 is amended by this paper to avoid this rejection. Reconsideration is respectfully requested.

**Rejection of Claims 1-22 Under 35 U.S.C. §103(a)**

Claims 1-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hall, in view of various combinations with Curriculum Sequencing, Fields, Tam, and Danner. However, to establish a *prima facie* case of obviousness, the Office action must find all the elements of each claim rejected and then provide clear articulation of the reason(s) why the claimed invention would have been obvious. *See* MPEP 2143. The combinations relied upon do not meet this test for the claims as they now stand.

All independent claims 1, 20, and 21 have been amended. Likewise, the dependent claims noted above have been amended, and some have been canceled as noted. All of the independent claims 1, 20, and 21 now require elements not found in the cited references.

For example, Applicant does not find “storing in a computer system a database comprising records reflecting equivalencies between the first and second plurality of courses.” Likewise, Hall uses the expression “course plan” but Applicant finds no enablement nor suggestion of Applicant’s detailed recitations now in the claims of this case.

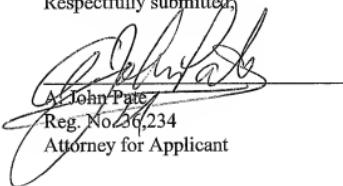
Absent a proper rejection, finding all of Applicant’s recited limitations in the prior art and providing a rationale for why it would have been obvious to combine those elements to make Applicant’s invention exactly as recited, the Office Action has not meet its burden. *See* MPEP

2143. Accordingly, Applicant respectfully requests reconsideration of all claims now remaining in the case.

In the event that the examiner finds any remaining impediment to the prompt allowance of any of these claims, which could be clarified in a telephone conference, the examiner is respectfully urged to initiate the same with the undersigned.

DATED this 24<sup>th</sup> day of August, 2009.

Respectfully submitted,



A handwritten signature of John Pate, which is a stylized, cursive script of the name. It is positioned above a horizontal line that extends to the right.

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